

AFFIDAVIT OF PUBLICATION

RECEIVED

JUL 22 1974

NOTICE OF CLAIM TO A WATER RIGHT

NO. 96-4126

Notice is hereby given that Harold F. &/or Irene Woltering, Route 1, Box 220, Athol, Idaho have filed a claim to a water right established by diversion and application to beneficial use of 0.04 cubic feet per second of water from an Unnamed Spring with point of diversion in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't Lot 4), Sec. 36, T. 54N, R. 2W, B.M., Kootenai County.

The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1966; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't Lot 4), Sec. 36, T. 54N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 148
July 11, 18, 1974.

STATE OF IDAHO,
County of Kootenai,

} ss.

Coeur d'Alene

Department of Water Resources
Not being first duly sworn

upon oath deposes and says:

1. I am now and at all times hereinafter mentioned was a citizen of the United States, resident of the State of Idaho, over the age of twenty-one years and not a party of the above entitled action.

2. I am now and at all times hereinafter mentioned was the printer (principal clerk) of the "Coeur d'Alene Press," a newspaper printed and published daily except Sunday in Coeur d'Alene, Kootenai County, Idaho, and having a general circulation in said county.

3. The

*Notice of Claim
No. 96-4126*

of which the annexed is a printed copy, was published in the regular issue of said newspaper for *2* consecutive *weeks*, commencing on the *18th* day of *July*, 19*74*, and ending on the *18th* day of *July*, 19*74*, and such publication was made as often during said period as said *Daily* newspaper was regularly issued.

4. That said newspaper has been continuously and uninterruptedly published in said Kootenai County, during a period of more than seventy-eight consecutive weeks immediately prior to the first publication of said notice.

Coeur d'Alene

Subscribed and sworn to before me this *19th* day of *July*, 19*74*.

Roberta Manley

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

LEADER

96 4126

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that HAROLD F. AND/OR IRENE WOLTERING
(name of claimant)
of RT 1, Box 220; ATHOL, ID.
(mailing address), claims a right to the diversion and beneficial use of
ground water or surface water tributary to _____;

The extent and nature of said claim is as follows:

(1) Describe source of water: (name of stream, lake, spring, etc., or ground water) UNNAMED SPRING

(2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount <u>0.04</u>	Use <u>DOMESTIC</u>	Period of Use: From <u>JAN 1</u> To <u>DEC 31</u>
Amount _____	Use _____	Period of Use: From _____ To _____
Amount _____	Use _____	Period of Use: From _____ To _____
(cfs, gpm or a/f)	(dom., irri., stock, etc.)	(both dates inclusive)

(3) Total quantity of water claimed: 0.04 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

(4) Priority claimed: (the date water was first applied to beneficial use) 1966

A claim is not acceptable on a ground-water source with a priority later than March 25, 1963 or on a surface-water source with a priority later than May 20, 1971. An exception to this rule is that a claim may be filed on domestic use from a ground-water source.

(5) A) Point of diversion: (give location of point where water is diverted from its source)

600 LOT 4
(NW 1/4 SW) 1/4, Sec. 36 Twp. 54 N Rge. 2 W B. M. County of KOOTENAI
Additional points of diversion: _____

B) Describe means of diversion of water: (pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.) Give sizes and capacities; be as specific as possible. COLLECTION BOX GRAVITY

FLOW PIPELINE TO PLACE OF USE

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>54 N</u>	<u>2 W</u>	<u>36</u>											X	<u>600 LOT 4</u>					

Total No. of acres _____

B) If the water is used for other than irrigation, fully describe that use, being as specific as possible:

DOMESTIC USE ONE FAMILY

(7) If you are claiming water as a member of an organization, list name of organization: _____

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P.D. + PLACE OF USE TT-54N
Q 36

R-2W

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

County of Kootenai ss.

that the matters and facts therein are true to the best of
 Mrs. H. W. Woltman
 Mrs. H. W. Woltman
 (Claimant)

Notary Public

Coined alias, further
0/10/77 what
Jalsh

Received by KK Date 7/2/74
Prelim. check by KK Date 7/2/74
\$10.00 fee received by KK Date 7/2/74
Approved for publication by JS
Published in COEUR D'ALENE PRESS
Dates 7-11 & 7-18-74
9848 96

Date _____

#1451

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The water is claimed to be used from Jan. 1 to Dec. 31 for domestic purposes with a priority of 1966; the place of use is within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Gov't Lot 4), Sec. 36, T. 54N, R. 2W, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Resources, 401 Front Avenue, Coeur d'Alene, Idaho 83814.

R. KEITH HIGGINSON
Director

Legal No. 148
July 11, 18, 1974.

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County of Kootenai,

} ss.

Cora L. Hedge

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19th

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Roberta Manly

Notary Public for the State of Idaho,
residing at Coeur d'Alene, Idaho.

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

NORTHERN DISTRICT OFFICE



Cecil D. Andrus
Governor

R. Keith Higginson
Director

401 Front Ave., Rm. 209
Coeur D'Alene, Idaho 83814
(208) 667-6484

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection
Geothermal Resources

July 30, 1974

Re: Claim to a Water Right No. 96-4126
" " " " " " 96-4127

Harold F. &/or Irene Woltering
Route 1, Box 220
Athol, ID 83801

Dear Mr. and Mrs. Woltering:

The Department of Water Administration has completed the processing of your claims to a water right, and no further action is authorized under Section 42-225a and 42-225b, Idaho Code. Your claims will be retained in our files and will be available at any time for use by you or the court.

As you are aware, the filing of a claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim files, you may have that information or evidence added at any time. Please refer to your claim numbers when corresponding with this office.

We are enclosing, for your records, copies of your claims. If you have any questions, or if we may be of any further assistance, feel free to contact us.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:cp

Enclosures

96 4126

July 5, 1974

Re: Application No. 95-7464 Claim No. 95-4273
" " Claim No. 96-4126 " " 96-4127
" " 95-4272

Coeur d'Alene Press
Second & Lakeside
Coeur d'Alene, ID 83814

Gentlemen:

Enclosed is a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to our office along with the publication bill. Your cooperation in this matter is appreciated.

Very truly yours,

FRED EISENBARTH
Northern District Manager

FE:CP

Enc: Legal Notice(s)

Bill Submitted 7-22-74 by sp

96 4126

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R. KEITH HIGGINSON
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